

ORDINANCE NO. 10-349

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF LOS ALTOS AMENDING CHAPTERS 14.40, 14.44, 14.48 AND 14.54
OF THE LOS ALTOS MUNICIPAL CODE PERTAINING TO MODIFICATION
OF PERMITTED USES IN THE CD DISTRICT, INCREASING THE MAXIMUM
ALLOWABLE HEIGHT TO 45 FEET IN THE CD DISTRICT AND REMOVAL
OF STORY LIMITS IN ALL COMMERCIAL DISTRICTS.

The City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. AMENDMENT OF CODE: Section 14.40.140 of Chapter 14.40 of the Los Altos Municipal Code entitled "Height of structures (CN)" is hereby replaced with the following:

Height of structures (CN).

No structure shall exceed thirty (30) feet in height.

SECTION 2. AMENDMENT OF CODE: Section 14.44.030 of Chapter 14.44 of the Los Altos Municipal Code entitled "Permitted uses (CD)" is hereby replaced with the following:

Permitted uses (CD).

The following uses shall be permitted in the CD District, provided that any site with over five thousand (5,000) square feet of existing retail or restaurant space on the ground floor shall retain an equal or greater amount of retail and/or restaurant space on the ground floor:

- A. Business, professional, and trade schools;
- B. Maintenance and repair services;
- C. Offices, excluding drive-through facilities;
- D. Parking spaces and loading areas;
- E. Restaurants, excluding drive-through facilities;
- F. Retail and personal services; and
- G. Uses which are determined by the city planner to be of the same general character.

SECTION 3. AMENDMENT OF CODE: Section 14.44.140 of Chapter 14.40 of the Los Altos Municipal Code entitled "Height of structures (CD)" is hereby replaced with the following:

Height of structures (CD).

No structure shall exceed forty-five (45) feet in height. The first story shall have a minimum interior ceiling height of twelve (12) feet to accommodate retail use, and the floor level of the first story shall be no more than one foot above sidewalk level.

SECTION 4. AMENDMENT OF CODE: A portion of Section 14.44.180 of Chapter 14.44 of the Los Altos Municipal Code entitled "Exceptions for public benefit (CD)" is hereby replaced with the following:

- B. For the purposes of this chapter, exceptions may include, but are not limited to setbacks, on-site parking, and development or building standards.

SECTION 5. AMENDMENT OF CODE: Section 14.48.120 of Chapter 14.48 of the Los Altos Municipal Code entitled "Height of structures (CRS)" is hereby replaced with the following:

Height of structures (CRS).

No structure shall exceed thirty (30) feet in height. The first story shall have a minimum interior ceiling height of twelve (12) feet to accommodate retail use, and the floor level of the first story shall be no more than one foot above sidewalk level.

SECTION 6. AMENDMENT OF CODE: Section 14.54.120 of Chapter 14.54 of the Los Altos Municipal Code entitled "Height of structures (CRS/OAD)" is hereby replaced with the following:

Height of structures (CRS/OAD).

No structure shall exceed thirty (30) feet in height. The first story shall have a minimum interior ceiling height of twelve (12) feet to accommodate retail use, and the floor level of the first story shall be no more than one foot above sidewalk level.

SECTION 7. AMENDMENT OF CODE: A portion of Section 14.54.180 of Chapter 14.54 of the Los Altos Municipal Code entitled "Exceptions for public benefit (CRS/OAD)" is hereby replaced with the following:

B. For the purposes of this chapter, exceptions may include, but are not limited to setbacks, on-site parking, and development or building standards.

SECTION 8. ENVIRONMENTAL ANALYSIS. The amended regulations set forth herein have been reviewed and considered by the City Council in accordance with the provisions of the California Environmental Quality Act of 1970, as amended, and the guidelines promulgated thereunder, and Council finds that it can be seen with certainty that there are no significant environmental impacts on the environment resulting from these amendments and said amendments are therefore exempt from the requirements of the CEQA.

SECTION 9. FINDINGS. The City Council finds in accordance with Chapter 14.86 of the Los Altos Municipal Code that the amendments are in the best interest of the City for the protection and/or promotion of the public health, safety, comfort, convenience, prosperity, and welfare; and that the amendments are in conformance with the City of Los Altos General Plan.

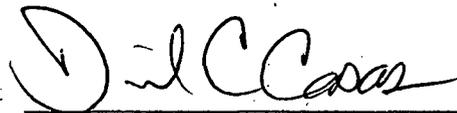
SECTION 10. CONSTITUTIONALITY. If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 11. PUBLICATION. This ordinance shall be published as provided in Government Code section 36933.

SECTION 12. EFFECTIVE DATE. This ordinance shall be effective upon the commencement of the thirty-first day following the adoption date.

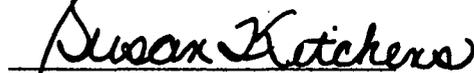
The foregoing ordinance was duly and regularly introduced at a meeting of the City Council of the City of Los Altos on April 13, 2010 and was thereafter, at a regular meeting held on April 27, 2010 passed and adopted by the following vote:

AYES: SATTERLEE, CARPENTER, BECKER, CASAS
NOES: NONE
ABSTAIN: NONE
ABSENT: PACKARD



David C. Casas, MAYOR

Attest:


Susan Kitchens, CITY CLERK

Date: April 27, 2010